

Meeting of 1998-7-28 Regular Meeting

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JULY 28, 1998 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Cecil E. Powell, Mayor, Also Present:
Presiding Gil Schumpert, City Manager
Felix Cruz, City Attorney
Brenda Smith, City Clerk

The meeting was called to order at 6:05 p.m. by Mayor Cecil E. Powell. Notice of meeting and agenda were posted on the City Hall notice board as required by State law.

ROLL CALL

PRESENT: G. Wayne Smith, Ward One
Richard Williams, Ward Two
Jeff Sadler, Ward Three
Robert Shanklin, Ward Five
Charles Beller, Ward Six
Stanley Haywood, Ward Seven
Randy Warren, Ward Eight

ABSENT: John Purcell, Ward Four

PRESENTATION HONORING PARTICIPANTS IN HERSHEY TRACK AND FIELD COMPETITION

Dick Huck, Parks & Recreation Director, introduced Alex Dennis, Joe Murchison, Kevin Smith and Leone Iosafa, Jr., who will participate in the Hershey Track & Field Event in Hershey, Pennsylvania. The young men began competition in Lawton and were successful at the State events. Each one received a proclamation from Mayor Powell, and special recognition from Senator Sam Helton and Governor Frank Keating. Alicia Mitchell, Activity Coordinator at Patterson Center, was present and will accompany the group as a state sponsor.

David Dixon was recognized and congratulated for winning a Gold Medal at the Junior Goodwill Games in New York City.

PRESENTATION OF EMPLOYEE OF THE MONTH AWARD TO GERALD CATLETT, BUILDING MAINTENANCE DIVISION, PARKS AND RECREATION DEPARTMENT

Huck introduced Gerald Catlett as the Employee of the Month for July. He said Catlett is involved in maintenance of City properties and is a valued employee. Catlett was accompanied by his supervisor, Bo Baughman. Mayor Powell presented a Certificate of Honor, plaque from T & S Printing, two days off work, Victorias Restaurant buffet, Auto Shine free car wash, Hollywood Video free movie rentals, Midas Muffler free tire rotation and balancing, Blunck Studios free family setting and 15% off on a portrait. He congratulated Catlett and Catlett said he appreciated the recognition.

Mayor Powell presented a plaque to Felix Cruz who will be retiring from City employment on July 31. He expressed appreciation for the years of dedicated service Cruz had rendered to the citizens of Lawton.

Cruz made the following comments: When I look out into our community, I see the City of Lawton consists of citizens, buildings and infrastructure. I also see the City of Lawton consisting of the government, under the governance of capable individuals such as the Mayor and the City Council. With that recognition of what the City of Lawton is, the City of Lawton has been very, very good to my family and myself for the past 22 years. I worked in two different areas of this government, starting with federal grants and then working my way over into the City Attorneys Office. When I first sat in that chair as Acting City Attorney in November 1990, I was nervous, I was nervous the day before, and I was nervous today coming to this meeting not knowing what would happen. Its always a surprise, and I look forward to that. This City has been very, very good to me. I think that the City government that we have has been very, very good to the citizens of Lawton. There are two sides of it, of course,

those who appreciate what the Mayor and the Council members have done and those who do not. As City Attorney, I have been very grateful, I have been very, very blessed with a very capable and competent staff in the legal section consisting of the attorneys and the support personnel such as the legal assistant, the claim investigator and the legal secretaries. I hate to leave this government. I hate to leave my work but its time to move on but I will be part of your government and I look forward to serving the City more during my retirement. Cruz left the meeting at this point and John Vincent assumed the chair.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL SPECIAL MEETING OF JULY 13, AND REGULAR MEETING OF JULY 14, 1998

MOVED by Smith, SECOND by Sadler, for approval of the Minutes. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Shanklin. NAY: None. MOTION CARRIED.

Mayor Powell introduced John Vincent as City Attorney and stated he looked forward to working with him.

AUDIENCE PARTICIPATION:

Raymond McCallister invited everyone to Lawtons Birthday Events, to include the Pioneer Breakfast, Rodeo Parade, and the Lawton Rangers Rodeo.

Clarence Williams, 1817 Jefferson, said he was speaking in behalf of Jack Rayl, mortgage holder, who was ill, and noted he had submitted a petition requesting property at 806 SW 4th Street not be demolished. Dennis Woommavovah, Code Administration Department, reviewed status of the property stating a demolition contract was awarded in June because the property owner did not request a permit following Councils action; the contractor has not come in for a building permit to begin demolition. Council suggested the contract form be modified to require contractors to obtain such permits within a specified time period and that staff follow through to make sure it is carried out. Vincent advised that Mr. Rayls legal recourse would be to seek an injunction through District Court to stop the demolition contract from being carried out, and that he would have only a short period of time to be able to obtain that. Clarence Williams said he would pass that along to Mr. Rayl.

BUSINESS ITEMS:

Item 4 was considered at this time as follows:

4. Receive a briefing from the Lawton Chamber of Commerce and Industry (LCCI) and consider approving the 1998-99 Hotel-Motel Tax Budget. Exhibits: LCCI 1998-99 Business Plan; Hotel-Motel Proposed 1998-99 Budget; Proposed Hotel-Motel Monthly Allocation.

Dr. Robert Drewry, Chairman of the Chamber of Commerce and Industry Board of Directors, said the Chamber Board and Staff are aware the funds are to be used for economic development and tourism purposes, and that they are not frivolous with the money. The organization is aware the hotel-motel funds are coupled with the Chambers additional resources so the potential for use of the funds is maximized. The goal is to increase jobs and enhance the quality of life for the citizens of Lawton-Fort Sill and the Chamber carries out the mission in a variety of ways, to include the active recruitment of new industry, assisting established businesses and industry, and through tourism development and enhancement.

Drewry said it had been a good year. The announcement of the Republic Paperboard Companys capital investment of \$175 million in Lawton-Fort Sill could only be rivaled by Goodyears announcement two decades ago. Republic will bring over \$3 million in payroll alone. Wackenhut Corporation opened the Lawton Correctional Facility this past month and eventually will hire 335 employees with an estimated payroll of \$8 million. The Red Cross Case Management Center will provide another 100 quality jobs. Bar-S opened its doors for business this spring and has 200 employees, with more expected in the future. Advancia is now expanding its work force and intends to be the anchor tenant in the Lawton Technology Park at 40th and Lee. These economic development initiatives are providing jobs and marketing Lawton-Fort Sill to the rest of the world, and building a leadership base for the future of the community. The organization is working with a number of prospects and remains optimistic about more locating here.

Tourism numbers continue to grow, and a list of conventions and events are contained in the folder. Economic impact is around \$4 million. The Chamber staff has implemented an aggressive marketing campaign in a number of tourism publications. The Oklahoma Department of Tourism and Recreation has ranked Comanche County fourth in the State of Oklahoma for travel expenditures, and we have exceeded \$77 million in income from domestic travelers. Two new hotels are being built, as well as several restaurants, and there is no reason that number should not increase during the coming year. He said their proposed budget was included in the information and offered to answer questions.

Shanklin asked what we had grown from during the last 12 years of collecting the hotel-motel tax and said it is now

in the range of \$320,000 in revenue. He also asked if an audit had been done in the last two years. Beller said the City's Internal Auditor performed an audit. Marilyn Fever, Chamber of Commerce, said she received a copy of the City's audit which showed the collections were accurate as far as auditing procedures, and that collections had risen about \$30,000 during the time period she was aware of. Shanklin said he thought it was about \$260,000 initially.

Beller said the City may need to send reminders to the hotels and motels reminding them of the tax requirements. Schumpert said three to four hotels are audited annually to insure accurate reporting. Williams said the hotel-motel association has a representative on the Chamber of Commerce.

Williams said the Chamber had done very well and asked what was coming up. Drewry said there are quite a few prospects and they hope some come forward during the year, and progress is on a roll and should continue. Williams said he appreciated the efforts of the Chamber and its members.

MOVED by Shanklin, SECOND by Smith, to approve the 1998-99 hotel-motel tax budget. AYE: Haywood, Warren, Smith, Williams, Sadler, Shanklin, Beller. NAY: None. MOTION CARRIED.

1. Hold a public hearing and adopt resolutions declaring the structures at the following locations to be dilapidated and detrimental to the health and safety of the community, and authorize expenditure of CDBG funds, if necessary, to demolish the structures: (1) 2511 SW C Avenue; (2) 1403-1/2 NW Dearborn Avenue; (3) 1405-1/2 NW Dearborn Avenue; (4) 314 NW Euclid Avenue; (5) 316 NW Euclid Avenue; (6) 413 SW Garfield; (7) 814 and 814-1/2 SW H Avenue; (8) 1511 SW Jefferson Avenue; (9) 1002 SW Lee Boulevard; (10) 1807 SW McKinley Avenue; (11) 1404 SW Park Avenue. Exhibits: Resolutions.

(1) 2511 SW C Avenue

Dennis Woommavovah, Code Administration Department, said a letter was sent to the property owner initially in November 1997. Video was shown of the property. November 26, 1997, staff met with the property owner who indicated he intended to tear the property down. Responses have been received from the Fire Department and Historical Society. Owner was not given a list of items to repair because he intended to demolish it himself.

Public Hearing Opened. Frank Pugh, property owner, said he lives in Cotton County and every time he fixes the property, people tear it up again. He said he needed as much time as possible to deal with the property and would either straighten it up or knock it down.

Shanklin said owners have two weeks to get a remodeling permit or demolition permit; the remodeling permit gives 180 days to do the work. Pugh said the 180 days would be helpful. Shanklin explained that Pugh would have to get one of the permits within two weeks of this action tonight.

Public Hearing Recessed.

MOVED by Sadler, SECOND by Smith, to approve Resolution No. 98-123. AYE: Warren, Smith, Williams, Sadler, Shanklin, Beller, Haywood. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-123

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 7, Lots 27-28, College Addition. Owner: Frank Pugh

(2) 1403-1/2 NW Dearborn

Woommavovah presented video and stated the owner was sent notice in March 1998. Fire and Historical Society have responded. Property is vacant, unsecured and dilapidated accessory structure. The main structure on this property was condemned in October 1997. Structure is made of concrete block and is surrounded by debris. Vagrants have been observed in the building.

Public Hearing Opened. No one appeared to speak and the public hearing was recessed.

MOVED by Shanklin, SECOND by Sadler, to approve Resolution No. 98-124. AYE: Smith, Williams, Sadler, Shanklin, Beller, Haywood, Warren. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-124

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 23, Mid 40' of Lots 1-5, Mountain View Addition. Owner: Alfred Forney, et al; Mortgage Holders: Bankers Trust Corp NA Trustee

(3) 1405-1/2 NW Dearborn

Woommavovah presented video and stated this is a vacant, unsecured accessory structure. There are two frame structures; main structure was condemned by Council in October 1997. Fire and Historical Society have responded.

Public Hearing Opened. No one appeared to speak and the public hearing was recessed.

MOVED by Shanklin, SECOND by Smith, to approve Resolution No. 98-125. AYE: Williams, Sadler, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-125

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 23, W 50' of Lots 1-5, Mountain View Addition. Owner: Alfred Forney, et al.

(4) 314 NW Euclid

Woommavovah presented video and stated this is a dilapidated, unsecured mobile home which has not had utilities for some time. Owner was notified in July 1997. Fire and Historical Society have responded. The Department has been called numerous times regarding the property being unsecured.

Public Hearing Opened.

Troy Gilley, owner, requested additional time and outlined his medical problems. He said he would like to repair it and use it as rental property to supplement his income. Shanklin explained time frames allowed in the resolution.

Public Hearing Recessed.

MOVED by Sadler, SECOND by Smith, to approve Resolution No. 98-126. AYE: Sadler, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-126

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 19, Lot 7, North Addition. Owner: Troy A. & Joan Gilley

(5) 316 NW Euclid

Woommavovah presented video and stated this is a vacant, unsecured mobile home which has not had utilities since 1997. Vagrants have been observed using the building.

Public Hearing Opened. Shanklin asked Gilley if he understood this would be the same as the previous property and Gilley indicated it was acceptable. Public hearing was recessed.

MOVED by Smith, SECOND by Sadler, to approve Resolution No. 98-127. AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-127

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 19, Lot 8, N90' of Lot 8, North Addition. Owner: Daisy E. Smith c/o Troy Gilley

(6) 413 SW Garfield

Woommavovah presented video and stated this is a vacant, dilapidated mobile home without utilities. It has been vacant for 10 to 12 years and the owner lives out of state. Junk vehicles are on the property. Owner was initially notified in November 1997. Vincent stated return receipt of notice was received July 22, 1998, from the title holder, and the resolution has been amended to reflect that receipt.

Public Hearing Opened. No one appeared to speak and the public hearing was recessed.

MOVED by Haywood, SECOND by Smith, to approve Resolution No. 98-128. AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-128

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 11, Lot 15, Airport Addition. Owner: John J. Jacques c/o Delores Jacques Caudill

(7) 814 and 814-1/2 SW H Avenue

Woommavovah presented video and stated this is a two story wood frame structure that is dilapidated. The accessory structure is on the rear and is also recommended for condemnation.

Public Hearing Opened. No one appeared to speak and the public hearing was recessed.

MOVED by Smith, SECOND by Sadler, to approve Resolution No. 98-129. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Shanklin. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-129

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 31, Lots 13-14, Woods Addition. Owner: Estate of Clint Hopkins; Barbara Achterberg; Mortgage Holder: Home Savings Bank

(8) 1511 SW Jefferson Avenue

Woommavovah presented video and stated this is a dilapidated, frame structure. At the time the property was considered, it was vacant, there are numerous deficiencies. He said they had been made aware that there is now a resident living in the structure. Property is owned by S.G. and Geneva Green. Water service was connected after condemnation proceedings had started. The Health Department was requested to provide an evaluation of the conditions and they refused stating they could not enter if the problem conditions were on the interior. There have been past problems with tall weeds and grass but it is mowed properly at this time.

Powell asked if the house was occupied at this time and Woommavovah said yes, although the living conditions appear to be terrible. Williams asked if there was electric service to the house and Woommavovah said yes. Williams asked if there had previously not been water service to the house for a while. Woommavovah said there was no water for more than six months but they do have water service now.

Public Hearing Opened.

Samuel T. Green, 1511 SW Jefferson, said the property belonged to his parents, who had passed away, and that he had taken over the property and paid the taxes. He asked if he could get an extension to have a roof put on and stated he could do the repairs himself; repairs are needed to the roof and sheet rock.

Haywood asked if Green would do the sheet rock and response was yes. Haywood asked about the roofing and Green said he would do it but would like to have until September. Haywood asked if Green planned to have it all repaired in two months and response was yes. Haywood said if a permit is issued, it allows six months to finish the work.

Vincent said he wanted to make sure that Mr. Green understood that if the resolution is passed he has two weeks to apply for the permit and it is only if he gets the permit that he gets six months. Green indicated he understood.

Williams said Council had not considered properties in the past that were occupied and that he was not comfortable passing a resolution giving someone two weeks to get a building permit and file all the necessary paperwork. He said he would rather pull this off or do something to allow the owners a period of time to make repairs and return the item to Council in a certain period of time. Vincent said Council can table it for a certain period of time.

Beller said that would be acceptable if there was a commitment to start some process, but from the video, it appears to be a tremendous undertaking for one individual to try to bring it up to code. He asked Green if he would have any help on the work. Green said to him, it was his house, but to others it may appear to be complicated. Green said he would like the time allowed that others were given.

Schumpert said when Mr. Green applies for the building permit, Code Administration will need plans and for him to show his intent to bring the structure back to code, not just fixing a roof and putting on a door, but bringing it back to code. He said for one person to do that in 180 days or have a plan to do it in two weeks is a tremendous undertaking because the frame in the house may not even meet the code as it stands currently.

Mayor Powell said it is somewhat unusual and suggested it could be tabled until the first meeting in November. Beller asked if nothing would be done until November. Williams said the owner would have sufficient time to start making whatever improvements he might need, and Council can see if there had been an effort to bring it to a better standard. Williams said he could not legislate what a person wanted to live in. Beller said that is what Council does. Williams said previously they had considered dilapidated houses that no one was living in, but this gentleman is not a vagrant and is the owner of the property and he lives there. Beller asked if the City was able to act on a building if it is dilapidated and unsanitary, even though it is occupied and Woommavovah said yes.

Beller asked Green where he was getting water from two months ago. Green said he had two water meters, one to the back house and one to the front house; his water was cut off and the cost was \$200 to get it back on. Beller asked how long he had not had water and Green said about a month or two. Woommavovah said he believed it was some time in January that the water was terminated. Beller said he agreed he hated to take action with someone living in a structure but it was a problem. Green said the water is on now. Williams said Council could consider it again in three months and if there is no good faith effort to do what is right, they could take action.

MOVED by Haywood, SECOND by Williams, to table this until the first meeting in November. AYE: Haywood, Smith, Williams, Sadler, Shanklin, Beller. NAY: Warren. MOTION CARRIED.

(9) 1002 SW Lee Boulevard

Woommavovah presented video and stated this was previously referred to as the hub cap house. He said it had been cleaned up considerably, and boarded and secured. The property owner indicated they were going to demolish it, although they had not done so, therefore, the demolition process was started. A letter has been received from an attorney representing the property owner asking for a continuance of the public hearing for 90 days. The property is under contract with Eckerd Drug, and after closing, Eckerd Drug would level the property.

Public Hearing Opened. No one appeared to speak and the public hearing was recessed.

MOVED by Williams, SECOND by Haywood, to table this to the first meeting in November. AYE: Smith, Williams, Sadler, Shanklin, Beller, Haywood. NAY: Warren. MOTION CARRIED.

(10) 1807 SW McKinley Avenue

Woommavovah presented video and stated this is a vacant, dilapidated, wood frame structure. Staff was unable to inspect the interior of the property. Owners were first sent notice in September 1997.

Public Hearing Opened.

Ben Hill, owner, asked how he had to do the demolition. Woommavovah said he had ten days to start and 30 days to finish.

Public Hearing Recessed.

Haywood asked Hill what he was going to do with the property. Hill said originally he was going to redo it and took classes at Vo Tech for two years to learn how to do it, but by the time he finished and started looking it at, he determined there had been too much termite damage and that he would demolish it.

MOVED by Haywood, SECOND by Smith, to approve Resolution No. 98-130. AYE: Smith, Williams, Sadler, Shanklin, Beller, Haywood, Warren. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-130

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 48, Lots 25-26, Lawton View Addition. Owner: Eula L. Christian (Hill)

(11) 1404 SW Park Avenue

Woommavovah presented video and stated the property is vacant and dilapidated; there have been no utilities for some time. It has not been occupied for approximately five years. Staff was unable to enter the property to inspect the interior. It is owned by William Forney, who has been contacted, and he indicated he wanted to remodel the property, but he has not come in for a building permit. Vincent said the City did give service on the title holder on July 22, 1998, and the necessary corrections will be made to the resolution to so indicate.

Public Hearing Opened. No one appeared to speak. Public Hearing was Closed.

MOVED by Haywood, SECOND by Smith, to approve Resolution No. 98-131. AYE: Williams, Sadler, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-131

A resolution determining a certain structure to be dilapidated and detrimental to the health, benefit, and welfare of the community, and ordering that said structure be brought up to the City's building codes standard or that said building be demolished and removed. Legal: Block 33, Lot 2, Waldman Addition. Owner: William L. Forney

2. Hold a public hearing and consider an ordinance changing the zoning from A-1 (General Agricultural District) to R-1 (Single-Family Dwelling District) zoning classification located at approximately 7702 West Gore Boulevard. Exhibits: Ordinance No. 98-30; Location Map; Application; LMAPC Minutes.

Bob Bigham, City Planner, presented a view graph map of the area. He said this is an administrative rezoning attempting to reassign zoning from Agricultural to Single Family Dwelling District. This is a 10.2 acre tract located in Crystal Hills Addition. Surrounding properties and zonings were identified on the map. LMAPC held a public hearing and recommended approval of the rezoning. Notice was properly served to property owners and published. Staff recommends approval.

Sadler said there had been grading and dirt work and asked if that was to the west of this tract. Bigham said he was not familiar with it.

Public Hearing Opened. No one appeared to speak and the public hearing was closed.

MOVED by Shanklin, SECOND by Smith, to approve Ordinance No. 98-30, changing the zoning from A-1, General Agricultural District, to R-1, Single Family Dwelling, zoning classification on tracts of land located at approximately 7702 West Gore, waive reading of the ordinance, reading only the title.

(Title read by Clerk) ORDINANCE NO. 98-30

An ordinance changing the zoning classification of the tracts of land which are more particularly described in Section One (1) hereof from the existing classification of A-1 (General Agricultural District) to R-1 (Single Family Dwelling District) zoning classification; and authorizing changes to be made upon the Official Zoning Map in accordance with this ordinance.

VOTE ON MOTION: AYE: Sadler, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

3. Hold a public hearing and consider an ordinance changing the zoning from A-1 (General Agricultural District) to R-1 (Single-Family Dwelling District) zoning classification located approximately one-half mile west of SW 67th Street and Lee Boulevard. Exhibits: Ordinance No. 98-31; Location Map; Application; LMAPC Minutes.

Bigham presented a view graph showing a map of the area. He said this is an administrative rezoning of a 70.193 acre tract located in Eisenhower Village Addition. Surrounding properties and zonings were identified on the map. LMAPC held a public hearing and recommended approval of rezoning. Notice was properly served on property owners and published. At the time of the plat, the properties met the density requirements of the zoning code but later changed with the minimum lot size for agricultural zoning to five acres so these became nonconforming lots. This will put the properties back into the conforming status. Staff recommends approval of the administrative rezoning.

Public Hearing Opened. No one appeared to speak and the public hearing was closed.

MOVED by Beller, SECOND by Smith, to approve Ordinance No. 98-31, read the title of the ordinance, waive reading of the ordinance.

(Title read by Clerk) ORDINANCE NO. 98-31

An ordinance changing the zoning classification of the tracts of land which are more particularly described in Section One (1) hereof from the existing classification of A-1 (General Agricultural District) to R-1 (Single Family Dwelling District) zoning classification; and authorizing changes to be made upon the Official Zoning Map in accordance with this ordinance.

VOTE ON MOTION: AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

5. Consider withdrawing Section 108 Loan Application for the renovation of Dunbar School, from consideration by the Department of Housing and Urban Development. Exhibits: Letter from HUD; Letter to USA Incorporated. Frank Pondrom, Director of Housing and Community Development, said the City submitted an application for the renovation of the Dunbar School to HUD, which included a 108 loan and an economic development initiative grant.

A letter was received in July from HUD asking the status of the application. Great Plains Improvement Foundation and Marie Detty Youth Services were initially identified as tenants. Mr. Odell Gunter, GPIF, during conversation, expressed that they were supportive of the renovation of Dunbar School but that his organization could no longer be considered one of the primary tenants and suggested to USA, Inc., that they try to get another tenant.

Pondrom said with that fact, he prepared the agenda item to withdraw the application because without someone to lease the space, it would be too much of a burden on paying back the loan with block grant funds to HUD, so he recommended withdrawing the application. He said he would be willing to work with USA, Inc. to find another tenant and resubmit an application.

Shanklin asked if the application had been approved and Pondrom said no. Shanklin asked why it should be withdrawn as opposed to letting it remain and the group continue to work. Pondrom said HUD sent a letter asking if we wanted to move forward and it is not viable without a tenant. Pondrom said the application contains the names of GPIF and Marie Detty Youth and it would have to be modified with a new tenant name. Shanklin asked if Pondrom had a letter from Mr. Gunter and response was yes, it was received yesterday afternoon. Haywood asked what Gunter had said. Pondrom said Mr. Gunter said he would be willing to support the project but did not want to be considered one of the prime tenants.

Williams asked if the City could consider leasing space. Schumpert said the only space currently being rented is for Housing and Community Development, which will move into the property next door to Central Fire Station, along with fire-related activities. Schumpert said Personnel and Parks & Recreation could move from the Owens Center and use that building as a full community center, but the City would be paying rent to assist in the renovation of a property.

Beller asked if Gunter indicated they may lease space if another viable tenant could not be found. Pondrom said Gunter's position is that GPIF is not the strong first tenant that is necessary because they have moved to another location. Beller said it indicated they would move in if another tenant was not found. Pondrom said if there are no other possibilities, Gunter would take something back to his board. Beller asked what happened to the Marie Detty proposal. Pondrom said Mr. Smith did not submit a letter but in conversation indicated they were not a real strong tenant, although both gentlemen are in favor of the project but do not want to be the primary tenants.

Beller said the letter from HUD indicates Headquarters is now making every effort to approve as many applications as possible during this period. It is imperative that your related determinations are finalized if this application is to be considered. He suggested the application remain with HUD and tell them tenants will move into the slot if others cannot be found. Pondrom said the applications are being considered now during the election year and if this could have been processed last fall, when groups were seeking the space, it would have been better. Pondrom said the application contains the names of these two entities and the options are to withdraw the application, or go forward with it and say that the worst thing that can happen is \$50,000 of block grant funds will be used to pay back this loan over the next 15 years. Beller said that is only if there is not a tenant. Pondrom said that is the risk.

Beller said he would hate to see the project dropped and there had already been a pledge of funds to put a roof on the building. Schumpert said USA can go ahead with the structure, but the City of Lawton was the applicant for the 108 Loan, and if USA does not make the loan payment, the City would be paying so the item was brought back to show the commitment the City would be required to make under the worst case scenario. Debt service is around \$42,000 per year for 15 years and that would be the City's commitment. Shanklin asked if that would be from CDBG funds and Schumpert yes, and those funds could then not be spent on other projects.

Williams said he would have liked to have seen the letter from Gunter. Schumpert said he asked Gunter if he was still a viable tenant and his response was that he is still very supportive of the Dunbar project and USA, Inc., but at this point, he was not considering being a tenant. Williams said it was a long time since the application had been sent in but it was based on GPIF and Marie Detty being tenants, and if they back out, it is a bad situation.

Shanklin asked if someone could speak for USA, Inc. Steven Boyd, corresponding secretary for USA, Inc., said their original proposal contained the names of GPIF and Marie Detty, but were planning to have a contingency plan to have other tenants because those groups could only sign agreements for one year, and the loan will require 15 years to repay. Other tenants may not need as much space, and they could break it down in smaller sections if necessary. Boyd said City employees made a recent inspection and stated the building was in better shape than some other structures. He said other groups are interested in occupying the building besides Marie Detty and GPIF and they are in the early stages of developing a contingency plan and getting new commitments, and if the two groups withdraw, the proposal would have to be revised accordingly. He asked for a little time to get other names to include in the proposal. Williams asked how long it would take. Boyd said it would be in their best interest to do it as soon as possible and they would work diligently to do that, and it was only in June that they learned the other groups were not considering it, and their group was focusing on the roofing problem, thinking everything was okay with the proposed tenants.

Haywood said GPIF may not be completely out of it since they said they would consider it if there were no other

tenants, and asked if that was correct. Pondrom said that was what Mr. Gunter said. Pondrom said his contention was that those statements were not strong enough for him to recommend it, unless the City Council agrees it is acceptable to take \$43,000 a year for the next 15 years from block grant funding. Haywood asked if the application could be submitted again. Pondrom said they could and it would require two public hearings, but they can be submitted at any time. Smith said it is very hard to sell or rent a house that has not been fixed, and that may be the case with this structure, and that he would hate to see the project stopped right now.

Williams asked Pondrom his opinion on the time frames. Pondrom said HUDs letter indicates they are in the process of completion, and they have a short deadline on reviewing and getting approvals because the election is coming up and they want to make these announcements before the election. Williams asked how long this should be tabled. Pondrom said two weeks because the information needs to be returned. Beller asked if Watts has been contacted to see if he could assist. Boyd said yes, Watts was contacted, as well as State Representatives.

Beller asked if it would be acceptable to leave the application up there and take the position of co-signer if necessary, and asked if the funding would be needed before next years budget. Pondrom said it would not be needed before then, and if that is the desire, he would suggest that a motion be made to authorize the Mayor to execute such documents as necessary to resubmit it so it does not have to come back to be the subject of another public hearing, if you want to stay with the vehicle we have up there.

Williams asked if a public hearing would be required to change the people who would be renting it. Pondrom said it is a major change, but it is basically the same application and it can be changed on the existing application that is pending. Pondrom suggested funding be included in the travel budget to have people take the application to Washington. Beller said the loan application was for \$443,000, and if that can be approved, he asked if they can still pursue the EDI grant for \$800,000. Pondrom said EDI grants are available in the year that started October 1, although that was not the year the grant was submitted, but that can be pursued. Beller said he would like to see it pursued.

Shanklin asked who gets the building if USA disbands. Mayor Powell said the Lawton Public Schools gave the building to USA, Inc. for an undisclosed amount. Pondrom said the loan documents call for a mortgage on the property as collateral, and other financial matters would have to be included on a revised loan application. Williams asked if it is appropriate to table it. Pondrom said they wanted Council to respond and it can be revised or withdrawn, and if it is withdrawn, it will take some time to put it back together and resubmit and would probably be held over for the next round of funding. Shanklin said Council should direct the Mayor to proceed with this loan application. Williams said if the project is ever to take place, this has to happen now and it will not be approved if we have to submit another application. Shanklin said CDBG funds can be pledged for a year, or however long it takes, to get it started. Beller asked if funding should be provided to hand carry the application to Washington, D.C. Williams said he did not think it was a good idea. Vincent said the way the agenda item is written, the only actions to consider are to withdraw the applications or leave them as is, and there is no agenda to fund any kind of travel to Washington.

MOVED by Shanklin, SECOND by Smith, to direct the Mayor to go ahead and fill in the necessary documents to proceed with the loan, and that we do not withdraw the application. AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

6. Consider providing direction to staff on the implementation of the Dunbar School Renovation Project (roof repairs). Exhibits: Letter to USA, Inc., dated 7/21/98.

Pondrom said there is a \$60,000 contract for roof repair with USA, and the contract expired June 30. He said they got close to starting construction. Williams asked if there was a contract with a roofing company to do the work. Pondrom said USA awarded a contract based on their contract with the City to fix the roof. Beller said he assumed USA took bids and Pondrom said yes. Beller said the City provided funding through the contract and he assumed the roof would be done. Williams asked if the funds would carry over and Vincent said no.

Vincent said the contract with USA expired June 30 and stated the roofing project had to be completed during the contract term. He said the contract expired June 30, the project was not completed, and a letter was sent to USA in that regard. Vincent said since that time, they found that USA had let a contract with a roofing company and a permit was issued June 22, 1998, and supplies and materials have been ordered by the roofing company. He suggested Council approve the termination of this contract and direct staff to prepare another contract using the same funding source and bring it back for another extended period.

MOVED by Beller, SECOND by Shanklin, to direct staff to bring back a new contract with United Social Action (USA) to meet their commitment for having the roof done through their contract negotiation with the successful bidder to install the roof. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Shanklin. NAY: None. MOTION CARRIED.

7. Consider approving plans and specifications for the Douglas Avenue Street Project 97-4 and authorizing staff to advertise for bids. Exhibits: Location Map.

Beller said he drove Douglas from 15th to 23rd Street this afternoon, and drove 53rd Street from Cache Road to Gore. He said it seemed the excellent job staff did on 53rd Street could also be accomplished on Douglas without spending the \$800,000 approximately that has been allocated for that particular project. Beller said he was concerned about spending \$800,000 from the 1990 CIP without knowing what would happen to the infrastructure funding in the near future. He suggested this be tabled tonight and ask staff to return plans and work into a priority of when they can do it. Beller said he spoke with Ihler briefly who indicated it could be worked into their priorities if that is the consensus of Council.

Haywood asked if curb and guttering could be installed. Jerry Ihler, Public Works/Engineering Director, said City crews have not been installing curb and guttering on large projects; the 1900 block of Floyd Avenue was contracted out for curb and gutter and concrete drives, and City crews were doing the base work and pavement.

MOVED by Beller, SECOND by Smith, to table the Douglas Road Project and let staff explore the possibilities of doing it in house and bring back some cost estimates. AYE: Haywood, Warren, Smith, Williams, Sadler, Shanklin, Beller. NAY: None. MOTION CARRIED.

8. Consider approving a request for a left turn bay and median opening for 205 SW Sheridan Road. Exhibits: Schematic drawing; letters dated February 12, March 2, March 5 and March 12, 1998; Council Policy 8-2.

Ihler said a request was received for a turn bay at 205 SW Sheridan Road and the request does not meet the criteria in the policy because the distance between the openings were not within the 400 feet separation, and other items. Based on that, staff recommended not to approve the turn bay. In addition, since this is on Highway 7, or Sheridan Road, this falls under the jurisdiction of the Oklahoma Department of Transportation. It was submitted to ODOT for their review, and a letter was received not approving the turn bay. The Council Policy was recently revised providing that if staff did not approve the turn bays that the request would be brought before Council. The applicant requested it be presented to Council.

Beller asked if the total expense would be paid by the applicant, Sheridan Express Pharmacy, if approved. Ihler said yes. Beller said Council approved several locations on Lee Boulevard and turn bays assist local businesses. Schumpert said ODOT said the turn bays on Lee Boulevard were the City's call and took a neutral position, but in this case, ODOT said they are not approving it. Beller said the wording of the request should be considered, because when we send a request to an engineer and say we intend to deny it and want you help us and deny it also, and that is what it appeared to be. Beller suggested the Council ask ODOT to consider it again.

MOVED by Beller, SECOND by Williams, to ask the Department of Engineering and Public Works to request ODOT to reconsider the location and that the City Council does approve.

Schumpert said, based on Beller's comments, he would prefer the motion state that the Mayor write them and request that. Beller asked why the Mayor was not requested to write the last one, and the point was that if the Mayor had written the letter, it would have been in a more positive manner and probably would have been approved. Schumpert said that was his point.

Mayor Powell said he had no problem writing the letter, but read from documents in the folder stating if the Lawton City Council chooses to allow the left turn bay and median opening, they could direct staff to contact ODOT and request reconsideration of the location since the Lawton City Council does not have the authority to override the decision of the Oklahoma Department of Transportation. Schumpert said they had already done that, and the letter from Mr. Rose indicates they see no benefit in doing this, which means they do not agree with it. Schumpert said Beller made a statement that it may depend on how the letter is worded or phrased and staff had written them, so if Council would like ODOT to reconsider, it is more appropriate for that document to come from the Mayor's Office.

Shanklin said Bob Rose's letter says ODOT is in agreement that it be denied for the following reasons: it is ODOT practice to maintain the minimum spacing of 400 feet. He said it is their practice, but it is not in concrete. Shanklin said the other point is from the standpoint of highway safety, they see no benefit; but if the letter were phrased correctly, perhaps they could see the benefit. He said the only reason 23rd Street is shown as Highway 7 and under State maintenance is because they put a cap on the miles they would keep within the City limits, and asked Ihler if that was correct. Ihler said he thought the City did the maintenance on it, but the main reason it is there is to allow receipt of state and federal funding on 82nd Street. Williams asked if Sheridan Road is only Highway 7 until 82nd Street is completed. Ihler said he could not recall exactly how it was set up and that he would provide an answer. Schumpert said there was a discussion of making Sheridan six lanes from Fort Sill to the Airport. Beller said the discussion at the Airport Authority was that 11th Street would be constructed as the main entry.

Beller said the Council Policy states if the conditions of the policy are not satisfied and Public Works/Engineering denies the request, the requestor may then pursue approval directly from the City Council. He asked for an explanation of that provision. Vincent said in a normal situation, the City Council would have the ability to approve

or deny a request that had been denied by Public Works/Engineering. Beller said this is not just any situation, this is a particular situation, and that language was included in the letter to the applicant. Vincent said City Council would have to approve so we could go back to the State and ask for reconsideration.

Shanklin said the letter from the Mayor should include the fact that the Council passed the left turn bay. Mayor Powell said there is a motion to approve the turn bay and direct him to write a letter to that effect to ODOT.

VOTE ON MOTION: AYE: Warren, Smith, Williams, Sadler, Shanklin, Beller, Haywood. NAY: None. MOTION CARRIED.

9. Consider declaring Lots 19 and 22, Block 118, Lawton View Addition, located at approximately 1321 and 1325 SW Bishop Road, as nonessential property and authorize Staff to advertise for sale. Exhibits: Letter of Request; Location Map; Draft Contract for Sale.

MOVED by Shanklin, SECOND by Haywood, that Lots 19 and 22, Block 118, Lawton View Addition, be declared as nonessential City property and authorize disposition. AYE: Smith, Williams, Sadler, Shanklin, Beller, Haywood, Warren. NAY: None. MOTION CARRIED.

Rev. Benjamin Landers, Pastor of church at 1607 SW Douglas, was recognized to speak and he expressed his concern about the timely repair of Douglas Avenue. He said he lived near 52nd Street and was aware of the very good job City crews can do on street reconstruction. He asked when work would be done on Douglas and pointed out the need for the work. Mayor Powell said he was sure the staff would work on it and that he was unable to give a firm answer at this time. He encouraged Landers to contact staff or his council member if he felt the project was not being taken care of quickly enough.

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

10. Consider the following damage claims recommended for approval and consider passage of the resolutions authorizing the City Attorney to file friendly suits for claims which are over \$400: Hyon Ko, and Lino and Carmen Roldan. Exhibits: Legal Opinions/Recommendations and Resolution No. 98-132. Action: Approve resolution; approve Roldan claim of \$283.65

(Title only) RESOLUTION NO. 98-132

A resolution authorizing and directing the City Attorney to assist Hyon Ko in filing a friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the reduced amount of Six Hundred Dollars (\$600.00).

11. Consider a Resolution authorizing the installation of traffic control devices at the following locations: (1) Stop signs at SW 16th and Texas stopping east/west traffic along Texas; (2) Stop signs at SW 16th and H Avenue stopping east/west traffic along H; (3) Walk/Dont Walk pedestrian signals at 52nd and Gore Boulevard; (4) Flashing school zone lights at Country Club Elementary; (5) Stop sign at T-Intersection of SW 24th Street and E Avenue stopping southbound SW 24th Street. Exhibits: Resolution No. 98-133; Excerpts from draft Minutes of Traffic Commission Meeting of July 16, 1998.

(Title only) RESOLUTION NO. 98-133

A resolution authorizing the installation and/or removal of traffic control devices at certain designated locations within the City of Lawton, Oklahoma.

12. Consider denying a request for the installation of a Stop sign at SW 16th and Oklahoma. Exhibits: Excerpts from draft Minutes of Traffic Commission Meeting of July 16, 1998. Action: Denial of request as indicated in title.

13. Consider approval of Change Order No. 3 for the Wastewater Treatment Plant (WWTP) Expansion Project 97-2 with Cajun Contractors. Exhibits: Change Order No. 3 (on file in Public Works/Engineering Administration office). Action: Approve Change Order No. 3 in the amount of \$71,855.17 and zero additional contract days for the Wastewater Treatment Plant (WWTP) Expansion Project 97-2 with Cajun Contractors.

14. Consider a Resolution of Necessity for right-of-way acquisition for the West 82nd Street Reconstruction Project, Lee Boulevard to US Highway 62. Exhibits: Resolution 98-134 (less Exhibit "A" on file in City Clerk's office).

(Title only) RESOLUTION NO. 98-134

A resolution declaring the necessity for acquiring permanent and temporary easements and right-of-way to certain property described in Exhibit A attached hereto, for the purpose of constructing, installing, maintaining, improving and repairing a public street together with storm drainage, utility easements and other necessary improvements;

authorizing and directing the City Manager to attempt to acquire said property by purchase and settlement of damages and authorizing the City Attorney to acquire the property by condemnation proceedings if it cannot be purchased.

15. Consider approving plans and specifications for the West 82nd Street Waterline Relocation Project #98-8 and authorizing staff to advertise for bids. Exhibits: Location Map; Plans on file in Engineering Division. Action: Approval of item.

16. Consider awarding a construction contract for the removal of three (3) underground storage tanks and installation of two (2) above ground storage tanks located at the Public Works Yard. Exhibits: Bid Tabulation of July 14, 1998; Letter from Zia Corporation. Action: Award a construction contract to Legacy Services, Inc. For the base bid plus Alternate #6 in the amount of \$137,450 plus any alternates, if required, for the removal of three (3) underground storage tanks and installation of two (2) above ground storage tanks located at the Public Works Yard.

17. Consider accepting the East Elevated Tank and Industrial Tank Painting Project 97-11 and place the Maintenance Bond into effect. Exhibits: None. Action: Approval of item.

18. Consider acknowledging completion of the asphalt overlay of NW 53rd Street from Cache Road to Gore Boulevard as constructed by the City of Lawton Street Division. Exhibits: Memorandum dated July 8, 1998 from Street Division Superintendent. Action: Approval of item.

19. Consider accepting the median opening and left turn bay improvements constructed at 4005 West Gore Boulevard and the required maintenance bond. Exhibits: Memorandum from Engineering Division; Maintenance Bond on file in City Clerk's Office. Action: Approval of item.

20. Consider rejecting bid proposals for the Landfill Office Building, Project 98-6 and authorizing staff to readvertise for bids. Exhibits: None. Action: Approval of item.

21. Consider approving a retainer agreement designating Cherese Bagwell as a special prosecutor in Municipal Court. Exhibits: Agreement on file in City Clerks Office. Action: Approval of item.

22. Consider extending the escrow agreement for Sungate Addition, Part 9. Exhibits: Memorandum from Engineering Division; Escrow Agreement on file in City Clerk's Office. Action: Extend the escrow agreement between the City and 227 Group, Inc. until October 27, 1998, to complete the minor improvements and establish erosion control in Sungate Addition, Part 9.

23. Consider approving the construction plat for Sneed Acres, Part 5, subject to conditions. Exhibits: Location Map; Memorandum from Engineering Division. Action: Approval of item. Conditions are: (1) Submission of easements outside the platted area on a form acceptable to the City and executed by the owner of the area located outside the platted area; (2) Permitting of the sanitary sewer extension by the Oklahoma Department of Environmental Quality (DEQ), if required; (3) Payment of review and inspection fees required by the City or DEQ; (4) Routing and sealing the existing street; (5) Submission of \$365.62 in lieu of park land dedication.

24. Consider accepting dedication of a six inch (6") water line, utility easement, County utility permit, and cash escrow agreement from Chris Brown for project located at approximately NE Cache Rd. Exhibits: Location Map; (Utility Easement; County Utility Permit and Cash Escrow Agreement on file in City Clerk's Office). Action: Approval of item.

25. Consider an agreement with Charles McKelvey to provide treated water outside the City limits at approximately 1802 NE Cache Road. Exhibits: Location Map; Letter of Request; Excerpt of Committee Minutes; Proposed Agreement. Action: That an individual water agreement be approved subject to tap, meter and backflow valve being located on the six-inch branch lateral located west of NE 60th Street.

26. Consider an amendment to an Agreement between the City and the Museum of the Great Plains Authority deleting the insurance requirement for contents and artifacts, and authorize the Mayor and City Clerk to execute the amendment. Exhibits: Letter dated 7/7/98; Amendment. Action: Approval of item.

27. Consider entering into a contract with Craig and Janie Billingsley for fire protection outside the Lawton City limits, and authorize the Mayor and City Clerk to execute the contract. Exhibits: Contract on file in City Clerk's Office. Action: Approval of item.

28. Consider entering into a contract with Lee K. and Brenda G. Deasy for fire protection outside the Lawton City limits, and authorize the Mayor and City Clerk to execute the contract. Exhibits: Contract on file in City Clerk's Office. Action: Approval of item.

29. Consider entering into a contract with James White, Jr. for fire protection outside the Lawton City limits, and authorize the Mayor and City Clerk to execute the contract. Exhibits: Contract on file in City Clerks Office. Action: Approval of item.
30. Consider approving contracts with the following for the Cosponsorship Program for cultural programs and authorize the Mayor and City Clerk to execute the agreements. Lawton-Fort Sill Art Council; Lawton City Ballet, Inc.; Lawton Philharmonic Orchestra; Percussive Arts Society; and Southwest Oklahoma Opera Guild. Exhibits: Cosponsorship Award recommendations fact sheet. (Contracts on file in City Clerks Office) Action: Approval of item.
31. Consider approving contracts for the following to participate as performers, demonstration artists, or Masters of Ceremonies at the 1998 International Festival and authorize the Mayor and City Clerk to execute the agreements: Caddo Cultural Club, John Carrasco, Ines Carretero, Ray Davis & a Pocket Full of Blues, Larry Ford Bluegrass Band, Stefan George, Sam McMichael, Sabor Caribe, Tin Roof Tango, Josephine Wapp, and Tyrone Wilkerson. Exhibits: Contract on file in City Clerks Office. Action: Approval of item.
32. Consider approving an amendment to the agreement between the City and Southwest Marketing and Advertising Agency, Inc., authorizing removal of the existing billboard sign and construction of a new billboard sign and authorize the Mayor and City Clerk to execute the amendment. Exhibits: Letter; Proposed amendment to Lease. Action: Approval of item.
33. Consider ratifying action of Lawton Water Authority on contract for natural grass hay baling. Exhibits: None. Action: Ratify award to Tony English.
34. Consider awarding contract for demolition of 701 SW Magnolia. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to Joes Backhoe Service.
35. Consider awarding contract for demolition of 314 SW Monroe. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to Joes Backhoe Service.
36. Consider awarding contract for demolition of 1109 SW G Avenue. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to Joes Backhoe Service.
37. Consider awarding contract for portable restrooms. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to ARA Equipment.
38. Consider awarding contract for steel posts. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to Fence & Supply Store, and to McCoy Building Supply.
39. Consider awarding contract for a raster printer. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to Imaging Spectrum, Inc.
40. Consider awarding contract for autoclave sterilizer. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to Cole-Palmer Instrument Company.
41. Consider awarding contract for landfill scale tickets. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to Nashville Business Forms, Inc.
42. Consider awarding contract for truck beds. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Award to Southwest Trailers & Equipment, and to Perfection Equipment Company.
43. Consider extending contract for copiers. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Extend contract with High Tech Office Systems through August 31, 1999, at same terms and conditions.
44. Consider rejecting bids for tractor. Exhibits: Vendors mailing list; Bid tabulation; Recommendation. Action: Reject bids.
45. Mayors Appointments. Exhibits: None.

Redistricting Commission: Lavelle Dennis, Ward 1, to 7/1/2003

Pension Trust Commission: Deborah G. Jones, City Employee Representative

Planning Commission (LMAPC): Pat Henry, City Representative, to 7/25/2002

Commission on the Status of Women: Nancy C. Smith, Eastern District, to 7/28/2000

Andrea M. Quisenberry, Ward 5, to 7/28/2000

46. Consider approval of payroll for the period of July 13 through July 26, 1998. Exhibits: None

MOVED by Sadler, SECOND by Smith, for approval of the Consent Agenda Items as recommended. AYE: Williams, Sadler, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

REPORTS: MAYOR/COUNCIL/CITY MANAGER.

Schumpert said Lawton Rangers Rodeo and Birthday Celebrations are coming up. He encouraged anyone born on August 6 to call 581-3301.

Beller said they received communication with DEQ dated July 7, 1998, addressed to the City Manager. He said the letter stated although the City has had oil and grease accumulation problems in the collection system, none of the permitted industries are sampled for oil and grease, and there are a number of recommendations in the report, some of which seem very serious. Beller asked if the City Manager could respond as to how those concerns are being addressed. Schumpert said Ihler is preparing a response to the DEQ letter and Council will receive copies. Beller said the letter mentions the municipal pollution prevention assessment of the industrial pretreatment program. Ihler will respond.

Shanklin said Ronnie Flowers lives by the soccer field in Wyatt Acres; Flowers takes his water hose across the street and waters 8-12 trees every weekend. Shanklin said he told Flowers it was not legal for him to do so, but the real question is who should mow and maintain the fields and soccer nets. Huck said the property is owned by the Lawton Public Schools and is contiguous to the City's park. Powell said the east portion is City property and the west is Lawton Public Schools. Shanklin asked how many acres. Powell said he thought the school system had around five acres. Huck said the City owns about six acres and the property in question belongs to the Lawton Public Schools. Shanklin said the City should mow it if they are using it and requested an answer be provided.

Shanklin said there is a lot of water running down the street, and Lawton Public Schools is doing so at Eisenhower and there was a leak at Lawton High and the baseball field flooded due to a faulty mechanism and water was running by the gymnasium then 100 yards south to a storm drain. He said a lot of water is being lost and the City waters the field for them because the City uses it and they are tied in to the main. Huck said the City maintains the school field during the American Legion program, then once we complete it about July 15, it is turned back to the school system. Powell said with Council's permission, he would contact the appropriate persons at the school system and was aware of the discussion. Shanklin said watering during the day time is a waste through evaporation.

Beller said Council consensus previously was to ask Mr. Carson to come up with a wording change in the ordinance about dragging a hose across a street without violating the law. Powell said a plumber had told him of problems in a project due to the ordinance. Staff was asked to return a suggestion on language change.

Mayor Powell said he received a response from County Commissioner Frank Walker regarding a joint meeting. He said Council Members could submit possible dates to his office, as well as topics to be discussed, and he would set up a meeting.

Mayor Powell said Council agreed at the last meeting to have a group to hear complaints, and each member had received a list of those who would be serving and the times of service. He suggested it would be helpful if Council could offer comments concerning a complaint format, frequency of meetings, publicizing availability of the committee, and related matters. Powell said it would be helpful if each group operated in a similar manner for consistency. Shanklin said this concerns much more than weeds, trash and grass, and includes codes and ordinances that may not be applicable to Lawton and perhaps other areas and a group could listen and see if there is validity to the concerns.

Haywood said Douglas School is having a reunion on August 6-9 and Mayor Powell will present a welcome. There will be a H.C. King Scholarship Breakfast at 8 a.m. on August 8 and everyone is invited; at 9 a.m. they will plant a tree in honor of Carol Cookie Green.

Sadler said there was a letter to the editor about the council committee on citizen complaints and he called the gentleman who wrote the letter and discussed his concerns. He said he wanted to make it plain that it was not his intent, nor was it the intent of the Council, that the committee would prevent anyone from coming forward during the audience participation portion of the meeting or from calling their city council member. Sadler said all the members take calls and the committee is just another format for anyone who may feel uncomfortable coming before Council on television, or maybe they called their council member or had not gotten through or wanted to visit in person. He said the committee is something in addition, and not trying to eliminate telephone calls.

Williams said Council was invited to tour the facilities at Waurika on August 5 and Lawton pays them about \$1.2 million per year. He said he was interested in going and asked if anyone else would like to go. Haywood said he would go.

There was no further business to consider and the meeting adjourned at 8:25 p.m.

